

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 1148, Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Tina Smith, Sheldon Whitehouse, Benjamin L. Cardin, Maria Cantwell, Amy Klobuchar, Jon Ossoff, Mark Kelly, Jacky Rosen, Brian Schatz, Mazie Hirono, Angus S. King, Jr., Thomas R. Carper, Sherrod Brown, Tim Kaine.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. MURPHY) and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Mississippi (Mrs. HYDE-SMITH).

The yeas and nays resulted—yeas 54, nays 42, as follows:

[Rollcall Vote No. 368 Ex.]

YEAS—54

Baldwin	Grassley	Padilla
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Blunt	Hickenlooper	Rosen
Booker	Hirono	Sanders
Brown	Kaine	Schatz
Cantwell	Kelly	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Collins	Lujan	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Tillis
Duckworth	Menendez	Van Hollen
Durbin	Merkley	Warner
Feinstein	Murkowski	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden

NAYS—42

Barrasso	Hagerty	Risch
Blackburn	Hawley	Romney
Boozman	Hoeven	Rounds
Braun	Inhofe	Rubio
Capito	Johnson	Sasse
Cassidy	Kennedy	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Shelby
Cramer	Lummis	Sullivan
Crapo	Marshall	Thune
Cruz	McConnell	Toomey
Daines	Moran	Tuberville
Ernst	Paul	Wicker
Fischer	Portman	Young

NOT VOTING—4

Burr	Murphy
Hyde-Smith	Warnock

The PRESIDING OFFICER (Mr. SCHATZ). On this vote, the yeas are 54, the nays are 42.

The motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 1129, Doris L. Pryor, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Tina Smith, Sheldon Whitehouse, Benjamin L. Cardin, Maria Cantwell, Amy Klobuchar, Jon Ossoff, Mark Kelly, Jacky Rosen, Brian Schatz, Mazie Hirono, Angus S. King, Jr., Thomas R. Carper, Sherrod Brown, Tim Kaine.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Doris L. Pryor, of Indiana, to be United States Circuit Judge for the Seventh Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. MURPHY), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Missouri (Mr. HAWLEY), the Senator from Mississippi (Mrs. HYDE-SMITH), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting: the Senator from Missouri (Mr. HAWLEY) would have voted "nay."

The yeas and nays resulted—yeas 62, nays 31, as follows:

[Rollcall Vote No. 369 Ex.]

YEAS—62

Baldwin	Gillibrand	Peters
Bennet	Graham	Portman
Blumenthal	Hassan	Reed
Blunt	Heinrich	Romney
Booker	Hickenlooper	Rosen
Braun	Hirono	Rounds
Brown	Kaine	Sanders
Cantwell	Kelly	Schatz
Capito	King	Schumer
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Lujan	Stabenow
Cassidy	Manchin	Tester
Collins	Markey	Van Hollen
Coons	McConnell	Warner
Cornyn	Menendez	Warren
Cortez Masto	Merkley	Whitehouse
Cramer	Murkowski	Wicker
Duckworth	Murray	Wyden
Durbin	Ossoff	Young
Feinstein	Padilla	

NAYS—31

Barrasso	Hoeven	Rubio
Blackburn	Inhofe	Sasse
Boozman	Johnson	Scott (FL)
Cotton	Kennedy	Scott (SC)
Crapo	Lankford	Shelby
Cruz	Lee	Sullivan
Daines	Lummis	Thune
Ernst	Marshall	Toomey
Fischer	Moran	Tuberville
Grassley	Paul	
Hagerty	Risch	

NOT VOTING—7

Burr	Murphy	Warnock
Hawley	Shaheen	
Hyde-Smith	Tillis	

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 62, the nays are 31.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Doris L. Pryor, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

The PRESIDING OFFICER. The majority Leader.

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and proceed to the immediate consideration of Calendar No. 570, H.J. Res. 100; that the only amendment in order to the joint resolution be the Sullivan-Cotton amendment No. 6503; that there be up to 20 minutes for debate equally divided between the leaders or their designees; that upon the use or yielding back of time, the Senate vote on the amendment; further, that following disposition of amendment No. 6503, the Senate then proceed to the immediate consideration of H. Con. Res. 119, which was received from the House and is at the desk; that there be up to 20 minutes for debate equally divided between the two leaders or their designees prior to a vote on the concurrent resolution; finally, that upon the disposition of the concurrent resolution, the Senate resume consideration of H.J. Res. 100 and that there be 2 minutes of debate equally divided between the two leaders or their designees, and upon the use or the yielding back of time, the joint resolution be considered read a third time and the Senate vote on the passage of the joint resolution, as amended, if amended; and that the amendment, concurrent resolution, and joint resolution require 60 affirmative votes for adoption, all without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Hearing none, without objection, it is so ordered.

LEGISLATIVE SESSION

PROVIDING FOR A RESOLUTION WITH RESPECT TO THE UNRESOLVED DISPUTES BETWEEN CERTAIN RAILROADS REPRESENTED BY THE NATIONAL CARRIERS' CONFERENCE COMMITTEE OF THE NATIONAL RAILWAY LABOR CONFERENCE AND CERTAIN OF THEIR EMPLOYEES

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The bill clerk read as follows:

A joint resolution (H.J. Res. 100) to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees.

There being no objection, the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, for the information of Members, we are going to resume votes very soon, first on the Sullivan resolution, then on the sick-day resolution, and then on the concurrent, final resolution. Votes will be quick.

I am glad that the two sides have come together so that we can avoid this shutdown, which would be extremely damaging to the country. I hope that we can add sick days under the Sanders resolution. And I urge Members—we are going to try to vote as quickly as we can to get this done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SULLIVAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VAN HOLLEN). Without objection, it is so ordered.

AMENDMENT NO. 6503

Mr. SULLIVAN. Mr. President, I call up my amendment, No. 6503, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Alaska [Mr. SULLIVAN], for himself and for Mr. COTTON, proposes an amendment numbered 6503.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following:

SECTION 1. CONDITIONS FOR RESOLVING DISPUTES.

Consistent with the purposes of the Railway Labor Act (45 U.S.C. 151 et seq.) to avoid any labor dispute that threatens substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service, except as provided in section 2, with regard to the disputes subject to Presidential Emer-

gency Board Numbered 250, established pursuant to Executive Order 14077 of July 15, 2022 (87 Fed. Reg. 43203; relating to establishing an emergency board to investigate disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and their employees represented by certain labor organizations), and the provisions of section 10 of the Railway Labor Act (45 U.S.C. 160)—

(1) during the 60-day period beginning on the date of enactment of this joint resolution, no change shall be made, by the railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference or by the employees of such railroads represented by a labor organization that is party to such disputes, in the conditions out of which such disputes arose as such conditions existed on the date of enactment of this joint resolution; and

(2) the parties to such disputes shall negotiate during such period to resolve any such dispute that is unresolved.

SEC. 2. MUTUAL AGREEMENT.

Nothing in this joint resolution shall prevent any mutual, written agreement by the parties after the enactment of this joint resolution—

(1) to implement the terms and conditions established by this joint resolution; or

(2) to any terms and conditions different from those established by this joint resolution.

Mr. SULLIVAN. Mr. President, nobody wants a strike right now in our country. We have had challenges with supply chains. We have had challenges with finding enough workers with regard to our businesses. Nobody wants a strike.

My amendment would certainly focus on not having a strike but making sure that the sides in this disagreement, between management and labor, get back to work to resolve the problems at hand. It is a simple amendment. It says we need a cooling-off period for 60 more days.

Congress finds itself in another last-minute emergency being rushed to the floor of the Senate. We got the details of this about 24 hours ago on a very complicated subject.

Since 2019, negotiations have been going on between labor unions representing railway employees and the railway industry over employee pay, hours of service, benefits, sick leave—complicated negotiations.

Now that the negotiations have met an impasse, we have been asked to endorse a proposal that the Presidential Emergency Board has endorsed and that the union members have rejected. Complicated.

Barring additional action, as I mentioned, there could be a strike that would harm our economy and workers and families and other businesses. Again, we don't want that.

Here is the other issue: We also don't want Congress to become the de facto endgame for all future negotiations—private contract negotiations—enacting the agreements reached at the bargaining table or having Congress then dictate the terms of minutia in these contracts with regard to sick leave or other things.

Now, I know Senator SANDERS has a provision on this. It might be a great idea; it might not be a good idea. I don't know. But we got this 24 hours ago. No hearings, no discussion.

So all I am asking for is a 60-day cooling-off period so the sides can get back to the bargaining table, so the President of the United States and the Secretary of Labor, Secretary Walsh, can get involved and do their jobs. That is it: a cooling off period for 60 days, handing this negotiation back to the parties involved to resolve.

Now, some people say, well, that is just kicking the can down the road. Well, there is precedent for this course of action by Congress. The legislation covering these kind of labor agreements contemplate Congress asking for additional cooling-off periods. We have done this many times before, including in 1986, where it actually worked. A 60-day cooling off period. The sides went back to the bargaining table, and they resolved their issues on their own without the Congress of the United States having to come and dictate terms.

As I mentioned, less than 36 hours ago, we were asked to decide on issues that are complicated, that are important—without necessary deliberations, without congressional hearings to gain knowledge and expertise required to make informed decisions.

My amendment would certainly avoid a strike. We all agree on that. It will give negotiators more time to get to an agreement, and it will not make Congress the entity of last resort in these kind of negotiations where the knowledge of the issues that are very complicated have not been thoroughly studied and have not received the due diligence that I believe every American, every union Member wants us to have. It has worked before. Exactly this kind of amendment has worked before in this kind of situation. It can work again. I urge my colleagues to vote yes on my amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent that I have an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, we are soon to be voting on the situation with the rail industry, which is an enormously important issue, not only for the 125,000 rail workers involved but for the entire country, because rail plays an enormous role in transporting very, very basic and important goods that all of us depend upon. It becomes a health issue, et cetera, et cetera.

But I want to take a half a moment to put this rail issue into a broader context and then get back to the rail situation. And that is, what polls are telling us and what I think each and every Member of the Senate sees and hears from his or her constituents is, people in this country are increasingly disgusted with the kind of selfishness and corporate greed that we are seeing.